

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventor(s) : Guillermo J. TEARNEY et al.  
Serial No. : 10/765,430  
Filed : January 26, 2004  
For : SYSTEM AND METHOD FOR IDENTIFYING TISSUE USING  
LOW-COHERENCE INTERFEROMETRY  
Examiner : Eric Frank Winakur  
Art Unit : 3768  
Confirmation No. : 1546

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT AFTER NON-FINAL OFFICE ACTION AND RESPONSE TO  
COMMUNICATION CONCERNING THE PRESENT APPLICATION**

Sir:

This paper is filed in response to another non-final Office Action dated December 23, 2008 and communication concerning the present application dated August 4, 2009. Initially, please amend the above-identified application as set forth below.

**In The Claims:**

Please cancel claims 3 and 4 without prejudice, amend claims 1, 9, 11, 12, 18-22, 24, 25, 30, 31 and 33-36, and new claim 44, as provided below in the associated claim listing on separate sheets: